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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,878	05/30/2001	John L. Coker	SIEB017/01US	4488

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EXAMINER

NGUYEN BA, HOANG VU A

ART UNIT PAPER NUMBER

2122

DATE MAILED: 07/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Applicati n No.

09/866,878

Applicant(s)

COKER ET AL.

Examiner

Hoang-Vu A Nguyen-Ba

Art Unit

2122

-- Th MAILING DATE of this communication app ars on th cover sheet with the correspondenc address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on 30 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 May 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Notice to Applicant(s)*

1. This action is responsive to the preliminary amendment filed November 27, 2001. This application is a continuation of PCT/US99/28415, filed November 30, 1999 and claiming benefit of 60/110,187, filed November 30, 1998.
2. Claims 1-22 have been examined.

### *Drawings*

3. The drawings are objected to because of the following informalities:
  - a. Figure 3b, block 13", "Page" should be – Pager --;
  - b. Figures 3a and 3b are not mentioned in the Brief Description of Drawings section of the disclosure.

Correction is required.

### *Specification*

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
5. The abstract of the disclosure is objected because the first sentence is ungrammatical.

Correction is required.

*Claim Objections*

6. Claims 1-22 are objected to because of the following informalities:
- a. Per claims 1-22, reference numbers, e.g., “101”, “11”, “103”, etc., should be omitted in the claims;
  - b. Per claim 1, line 2, a comma is needed after “reusable components”;
  - c. Per claim 8, lines 5 and 6, the “,” should be replaced with a -- ; --;
  - d. Per claims 12 and 22, a “ . ” should be added at the end of the limitation to mark the end of the claim;
  - e. Per claim 15, “said computer comprises is configured to” is ungrammatical and thus renders the meaning of the claim unclear;
  - f. Per claim 16, lines 12 and 13, the “,” should be replaced with a -- ; --.
- Appropriate correction is required.

*Claim Rejections - 35 USC § 112*

7. The following is a quotation of the second paragraph of 35 U.S.C. § 112:
- The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
8. Claims 15, 16 and 22 are rejected under U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
- Claim 15 recites the limitation “said computer ” at line 1. There is insufficient antecedent basis for this limitation in the claim.
- Claim 16 recites the limitation “the system” at line 8. There is

insufficient antecedent basis for this limitation in the claim.

Claims 22 and 15 recite the limitation “the... translations” at lines 3 and 4, respectively. There is insufficient antecedent basis for this limitation in the claim.

### *Claim Rejections – 35 USC § 102*

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

10. Claims 1-22 are rejected under 35 U.S.C. § 102(e) as being anticipated by Anderson et al. (« Anderson »), Dynamically Processing an Index To Create an Ordered Set of Questions, U.S. Patent No. 5,878,423, 03/1999, 379/88.17.

#### **Claim 1**

Anderson discloses at least:

a) *said script comprises a hierarchical set of structured pages* (see at least Abstract, line 9; Figure 3, items 315a, 315b, and related discussion to “domains” in the specification),

- b) *at least one of said one or more pages comprising a structured set of questions* (see at least Figure 3, items 310a-d listed under “Index Categories” and related discussion to “Index Categories” in the specification ),
- c) *at least one of said questions having response* (see at least Figure 6B, blocks 650, 655, 660 and related discussion in the specification), *and*
- d) *at least one of said responses causing the system to either*
  - (i) *link to an associate database* (see at least Figure 6B, block 665 and related discussion in the specification), *or*
  - (ii) *link to another question in the script* (see at least Figure 6B, blocks 670, 675 and related discussion in the specification).

### **Claims 2, 13 and 21**

Anderson does not specifically disclose that *said reusable components comprise objects, data, public functions, and private functions, and wherein said public functions can be accessed through derived classes of objects*. However, it is well known in the art that routines, subroutines, functions, global variables and local variables accessing through calls are equivalent to methods, public and private function calls in an object-oriented programming environment. Therefore the same rationale for rejection as discussed below in claims 3 and 14 is applied.

### **Claims 3 and 14**

Anderson does not specifically disclose that *said reusable components comprise routines, subroutines, and functions, pass through global variables to local variables therein, and are accessed through calls*. However, Anderson teaches that domains and index categories are reusable components of a relational database that can be

accessed remotely using the HTTP protocol (see at least Figure 2 and related discussion to in the specification). And since it is well known in the art that in order to provide database access via WAN/Internet from remote computers that are of different hardware platform, object-oriented relational database and open database connectivity (ODBC) are needed. Hence, objects, data, public functions, private functions, which are programming components of object-oriented programming, are deemed to be inherent to the teaching of Anderson because without the use of object-oriented design, Anderson's system would not be efficiently operable in WAN/Internet environment.

**Claims 4 and 17**

Anderson further discloses that *said link to an associated database is a query* (see at least Figure 6B, block 665 and related discussion in the specification).

**Claims 5, 10 and 18**

Anderson further discloses that *the output of the database is a link to another question in the script* (see at least Figure 6B, output of block 670 to block 675, and related discussion in the specification).

**Claims 6, 11 and 19**

Anderson further discloses that *the output of the database is related to the interaction* (see at least Figure 5, block 555; Figure 6B, blocks 675, 680 and related discussion in the specification).

### Claims 7, 12 and 20

Anderson further discloses that *the link to another question in the script is a link to another page in the script* (see at least 6B, output of block 675 to input to block 645 of Figure 6A and related discussion in the specification; note that the instant's *another page* is interpreted to mean another Anderson's index category).

### Claim 8

Anderson further discloses that *computer program code causes the system to:*

- a) *present a question to a user* (see at least Figure 5, block 540; Figure 6B, block 650 and related discussion in the specification);
- b) *receive a response from the user* (see at least Figure 5, block 545; Figure 6B, block 655 and related discussion in the specification);
- c) *branch to link to*
  - i) *the associated database* (see at least Figure 5, block 550; Figure 6B, 665 and related discussion in the specification) *or*
  - ii) *to another question in response to the user's response to the question* (see at least Figure 6B, output of block 675 which loops back to block 650 via block 645 in Figure 6A and related discussion in the specification).

### Claim 9

Anderson further discloses that the computer program code *causes a query of the associated database* (see at least Figure 5, block 550; Figure 6B, block 665 and related discussion in the specification).



### **Claims 15 and 22**

Anderson further discloses that the computer is *configured to verify one or more of the absence of unreachable pages, unreachable questions, and missing answer branches, and the presence of pages called by the script and translations* (see at least Figure 5, blocks 530, 535; Figure 6A, blocks 630, 635; Figure 6B, blocks 630, 635; and related discussion in the specification).

### **Claim 16**

Claim 16 is an independent claim containing features similar to those in claims 1 and 8. As a result, this claim is rejected as anticipated by Anderson for the same reasons.

### **Conclusion**

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Sheffield reference teaches Method for Forming a Reusable and Modifiable Database Interface Object, U.S. Patent No. 5,566,330, 10/1996, 707/4.

b. Chipman et al. reference teaches System, Method, and Medium for Retrieving, Organizing and Utilizing Networked Data, U.S. Patent No. 6,038,668, 3/2000, 380/255.

c. Leymaster et al. reference teaches Document Generator, U.S. Patent No. 6,182,095, 1/2001, 706/46.

d. Gelissen reference teaches Multimedia System Receptive for Presentation of Mass Data Comprising an Application Program Inclusive of a Multiplatform Interpreter, and a Platform Subsystem Arranged for Interaction with Said Multiplatform Interpreter and Mass Memory for Use with Such Systems, U.S. Patent No. 5,854,927, 12/1998, 717/139.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Hoang-Vu "Antony" Nguyen-Ba, whose telephone number is (703) 305-0103. The examiner can normally be reached on Monday- Thursday from 6:30 – 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached at (703) 308-4789.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Important Fax Numbers:

After Final Amendment	(703) 746-7238
Official Fax Number	(703) 746-7239
Customer Service	(703) 746-7240
Examiner's Fax Number	(703) 746-5426



Hoang-Vu "Antony" Nguyen-Ba

July 23, 2002